

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1.

THE UNITED STATES OF AMERICA, et al) ORDER, GRANTING PARAGRAPH 2,
- vs -) REQUEST OF YOSUKE MATSUOKA
ARAKI, SADAO; et al) FOR TRANSFER TO TOKYO IMPERIAL
) UNIVERSITY HOSPITAL FOR CARE
) AND TREATMENT, AND
) DISMISSING, PARAGRAPH 3
) THEREOF, TO STRIKE THE NAME
) OF MATSUOKA FROM THE
) INDICTMENT OR STAY PROCEEDINGS.

This matter coming on to be heard by the Tribunal in open Court on 3 June 1946, upon the Request of Yosuke MATSUOKA, that the Tribunal direct the transfer of the said Yosuke MATSUOKA to the isolation ward of the Tokyo Imperial University Hospital, for proper care and treatment; and, that his name be struck from the Indictment or proceedings be stayed in his case, and

The Tribunal being fully advised in the premises, it is the decision of a majority of the Justices of the Tribunal, and

ORDERED: That said Request be granted in that the Tribunal directs that Yosuke MATSUOKA be delivered to and kept in the isolation ward of the Tokyo Imperial University Hospital; subject to such provisions for securing his proper custody therein as may be directed by the Supreme Commander. And it is further

ORDERED: That the balance of said Request is refused. However, the application may be renewed later if further evidence is forthcoming. In the meantime, the accused will be represented by his Counsel before the Court.

Dated at Tokyo, Japan, the 4 June 1946.

BY THE TRIBUNAL:

PRESIDENT

OPINION:

The evidence indicates that the condition of the accused is low and not likely to improve, but there is no definite evidence that he will not recover. As far as we can judge, he will be able to instruct counsel in the preparation of his defense.

BY THE TRIBUNAL:

PRESIDENT

MEMBERS PRESENT:

Mr. Justice Webb, President of the Tribunal
Mr. Justice Northcroft
Lord Patrick
Mr. Justice Mei
Major General and Justice I. M. Zaryanov
Mr. Justice Higgins
Mr. Justice McDougall
Mr. Justice Bernard
Mr. Justice Roling
Mr. Justice Pal